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The Planning Act Review Committee



Background Paper 5

Planning for Small Communities

The Planning Act Review Committee

Planning for Small Communities

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1. INTRODUCTION

This report has been undertaken to determine the nature of development and planning activities in small, generally rural, municipalities. It has been stimulated by the contention that towns, villages, and townships differ from cities when it comes to planning. The most important differences stem from the much smaller scale of rural communities and their more rudimentary local government institutions.

In order to test whether these differences make a difference in planning smaller communities in Ontario, a study has been made of several communities in the Kingston region. The ultimate aims of this study are to examine the pertinence of the present Ontario Planning Act for small community planning and to suggest improvements in the Act where necessary.



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2. THE STUDY PERSPECTIVE

This investigation of planning for small communities starts with an examination of the actual development situations faced by six municipalities in Eastern Ontario. The communities visited comprised four townships, one town and one village. The largest had a population of just over 5,000 and the smallest had just over 500 residents. Municipalities of this size fall within the same range as 85 percent of Ontario's municipalities. The communities were:

Township of Front of Leeds and Lansdowne,
Township of Adolphustown,
Township of Camden East,
Township of Loughborough,
Town of Gananoque, and
Village of Bath.

For each place a detailed examination was made of planning board or council minutes for the past two years. A record was compiled for the type and number of physical development activities that received the attention of the planning institution of the municipality. Interviews with township officials provided supplementary information.

In addition, interviews were had with the directors of planning for the Counties of Prince Edward and Hastings. These two county planning operations cover ten and twenty-three small municipalities, respectively.

The communities examined for this study reflect a variety of approaches to planning. Some have planning boards; some have official plans; some have zoning by-laws; and some have the services of professional planners. They are, thus, fairly representative of the small municipalities of the province and their varied involvement in planning. Developmentally, the communities studied cover agricultural, small urban, suburban, exurban, and seasonal cottage situations.

This perspective, then, should provide a sufficient basis to sample the types of development situations requiring planning attention in small municipalities and to compare these with the perspective on planning provided by The Planning Act of Ontario.

- (3) It is assumed that the capability exists in all communities to establish a municipal planning function. But in small communities this job falls to a very few people, among whom one is unlikely to find anyone with any experience in planning or even with a clear understanding of the purposes of a plan and its associated planning instruments.
- (4) It is assumed that the municipal planning function should contain all of the planning instruments -- official plans, zoning by-law, subdivision control, and building standards. But in small municipalities, something less than this whole "kit of tools" is usually appropriate and the needs of individual communities in this regard differ with their special problems.
- (5) It is assumed that the relatively small costs to prepare and administer planning instruments will not pose a problem in a small community. But expenditures of \$10,000 to \$30,000 for an official, up to \$10,000 for a zoning by-law, much less the cost of maintaining a regular consultant are often prohibitive, provincial grants notwithstanding.

(b) IMPROVING THE VIEW

A general issue arises from the foregoing discussion which must be dealt with now. It stems from the ineffectual role of The Planning Act provisions for the majority of small centres and rural municipalities. These communities, comprising the overwhelming majority of Ontario municipalities, may sometimes be frustrated by the Act's provisions but are seldom found employing its planning potential. Need The Planning Act continue to apply to smaller, rural municipalities?

On the pragmatic side, the continued existence of The Planning Act in more or less its present form will not make much difference to small communities. They will conform to it when necessary and, although more of them will prepare official plans and zoning by-laws, the planning impact of these instruments will be insignificant.

Like most enabling legislation, The Planning Act is important for its heuristic value, i.e., to promote more and better community planning. Accepting the worth of this objective for small communities as well as large, it seems important to find ways to make The Planning Act relevant to the needs of small communities. This will involve two courses of action:

- (1) recognize in the Act the differing planning needs of different, particularly small, municipalities; and
- (2) provide for administration of the Act that is sensitive to the needs and capabilities of small municipalities.

(c) RECOGNIZING SMALL AND RURAL COMMUNITIES IN THE ACT

If The Planning Act is to accommodate sensitively the situation of small and rural municipalities, two general principles must be acknowledged:

First, the planning process and the planning instruments should be consistent in scope with the scale, nature, and pace of development.

Second, the planning process and the planning instruments should be able to be comprehended and managed within the capability of the local government.

A number of modifications to the Act could be made that would both make it more credible in the eyes of small communities and probably promote more and better planning in these places.

- (1) OFFICIAL PLANS. Although the Act does not define a particular format for municipal official plans in Ontario, the evolving practice has been toward a very elaborate document. This tendency is usually wrong in two regards for small communities. First, the plan covers development situations in more detail, in more complexity, and in greater extent than is relevant for most. Second, the plan does not communicate well to the community through its legalistic and professional planning terms. Many of the official plans for small and rural municipalities prepared in recent years give one the impression of being prepared by planners for planners in the Ministry rather than to serve the needs of the community.

The Act should give explicit support to the development of a format for official plans that is relevant and useful for small communities. These places tend to see their development in terms of a number of specific problems rather than in categories of land use, etc. Their plans might consist of a statement of the community's problems and possible solutions and a statement of goals and policies for achieving solutions. Furthermore, such plans should be simply written, without jargon, so that not only is it understandable to those who must administer it locally but also is easy to be disseminated to and discussed by all citizens.

- (2) AGRICULTURAL LAND. Agricultural uses of land should be given special consideration in the Act. This activity requires certain land capabilities (especially soil quality and large size) in order to perform an economic function. In other words, farming is not a land use which involves sites and the competition for them and, therefore, does not fit into conventional land use planning practice of rationing sites among competing uses. There are no significant tradeoffs possible for farming between large size parcels possessing essential soil capabilities and parcels not possessing these qualities.

Agricultural soils of high quality (e.g., CLI 1, 2, 3) which occur extensively, say, over 100 acres or more, form a zone of resource use. This is different from a zone of land use and should be clearly distinguished as such. Hastings County provides for conservation of farming by designating high capability soils and severely limiting non-farming land uses on these areas.

Since development in rural areas is of very low density and soil areas are not ubiquitous, there are ample alternative sites for non-farming uses. (Cf. brief from Rural Ontario Municipalities Association). An analogous approach could be used in planning for special recreational lands and landscape features.

- (3) SEVERANCES. The most prevalent, and in many instances the most contentious, planning issue in rural municipalities is the granting of consents to sever parcels of rural land. Yet this function is either performed by a county land division committee or a committee of adjustment which operates outside the municipal planning process in most communities.

The Act should set out clear terms of reference for land division committees and committees of adjustment in regard to granting consents. (Section 12 of the Act in regard to duties of a planning board may provide a model for this.) In particular, these committees should be required to conform to local official plans or land policy statements in making their decisions about consent requests.

- (4) PUBLIC NOTICE IN RURAL AREAS. Notification of affected property owners in cases of development proposals, severances, zoning changes, etc. should take into account the much more sparse settlement in rural areas. A radius of at least 2,000 feet is a more appropriate criterion to invoke in such areas. (Cf. brief from Ontario Federation of Agriculture.)

(d) MODIFICATIONS IN ADMINISTERING THE ACT

While it is necessary that the Act contain provisions that can be applied to small municipalities, those provisions are not sufficient to achieve effective planning in these communities. Means will have to be found to promote more and higher quality planning practice. In general, these means must be both supportive and contextual.

- (1) TECHNICAL ASSISTANCE. Where community size and resources preclude a planner being on staff, there should be regular, frequent contact with a planning advisor. Planning assistance provided through a county planner, as in Hastings and Prince Edward Counties, assures such contact. Other methods include technical assistance provided either by the Province directly or indirectly through subsidies to consultants. The need for technical assistance is bound to increase with the growing sophistication and complexity of legislation related to planning such as pits and quarries and environmental assessment.

It is important that any planning technical assistance to small communities be supportive and geared to local capabilities and not just to preconceived Provincial and professional standards.

- (2) THE DEMANDS OF ENVIRONMENTAL ASSESSMENT. The soon-to-be-proclaimed Ontario Environmental Assessment Act will interject yet another sophisticated element into the municipal planning process (as The Pits and Quarries Act did a year or so ago). It is difficult to predict the impact of this Act on small and rural municipalities, but it is clear that most of them do not have the staff capable to carry out necessary studies, or probably even to interpret it for the local situation. This is not to say that smaller communities will not need the provisions of the Act. Their needs are likely to be infrequent and support should be provided by the Province to ensure that the Act is not simply overlooked by busy, untutored local administrators.

A related issue is the identification and monitoring of environmentally sensitive and/or hazardous conditions in large rural municipalities. Itinerant planning advisors, public as well as private, usually have insufficient local knowledge of these conditions. And local people usually have insufficient technical expertise in these matters.

- (3) OBLIGATIONS OF SENIOR GOVERNMENTS. Small municipalities, not infrequently, have imposed on them development decisions of senior governments and their agencies. Usually little cognizance is taken by senior governments and their agencies of the planning policies that might be in effect in small municipalities, much less the wishes of the community. The Planning Act should provide for the development proposals of senior governments and their agencies to conform with the planning policies of the local community. Of particular concern are the planning and development activities of such as conservation authorities, Ontario Hydro, Parks Canada, and the Canada Ontario Rideau-Trent-Severn Administration.
- (4) COMMUNITY PARTICIPATION. Despite their small size, rural communities and villages and towns require support in promoting participation of community members. A good deal of the apathy that one encounters stems from the perception of people that most of the issues broached by the planners are not of very immediate concern, particularly in the remote and sterile formats of official plans and zoning by-laws. Yet people from small and rural municipalities are interested in planning for their community in terms that are meaningful to them. They have spoken of the need for more education for themselves in the ways of planning and planners. (Cf. Ontario Secretariat for Habitat, Human Settlement Issues in Ontario, Vol. 2, March 1976, especially pp. 20-21.)

- (5) LOCAL AUTONOMY. Related to the above concern is the mode of municipal planning in Ontario which seems to direct all efforts at satisfying the Act, the Provincial planners, and/or the O.M.B. This "other directedness" removes the responsibility for planning from the small community. Combined with a lack of expertise and sophistication to initiate and sustain planning results in a still weaker process. Community participation in planning and community planning itself would be greatly enhanced by promoting local capability to approve and amend community plans and zoning by-laws. Reverse the present paternalistic system and make the Province an "interested party" on local planning which must be advised of proposed local planning measures and could object as other interested parties do. That is, urge small communities to plan, provide the technical assistance they need, and then let them get on with it intervening only to protect the Provincial interest.



